

Concept Note

Regional Multi-Stakeholder Consultation on Land Governance¹ in Asia and Pacific Region

Bangkok, 14-16 December 2015

Background:

Access to land is fundamental for the food security and well-being of rural people who rely on agriculture for their livelihoods. Secure rights over this key resource is a fundamental condition of household food security and equitable economic development. Secure land tenure also provides a valuable safety net as a source of shelter, food and income in times of hardship.

Unfortunately, in many countries in Asia, these rights are in fact not so secure. Weak governance, inadequate regulatory frameworks, lack of institutional capacity among other issues are the major factors leading to inequity, evictions and conflicts. At the same time, national and especially foreign large-scale land investments are on the rise. That kind of investment may provide sufficient food and energy security in the home countries, but there is evidence of considerable negative, unintended side effects in the host countries, especially if poor rural people are forced to leave their lands (and therefore their livelihoods) because these are being leased or granted to outside investors. The reaction to this trend by Governments, private sector, academia and civil society organizations groups has been varied, moving between the extremes of seeing it as a major threat to the lives and livelihoods of rural people, to seeing it as an economic opportunity for the rural poor worldwide.

In this context of challenges, it is critical to discuss alternatives and furnish ways to improve land governance, promoting a different model of rural development, in which economic development challenges are met, while human rights are respected. Promoting successful land investments and business models, but also fostering the socio-economic advancement of the most disadvantaged people in rural and peri-urban areas. Also, reflect on how different instruments can foster that, such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of Food Security (VGGT) and the Principles for Responsible Investment in Agriculture and Food Systems (RAI), both endorsed by the Committee on World Food Security (CFS), in 2012 and 2014 respectively.

¹ The following definition for land governance is proposed: *“Land governance concerns the rules, processes and structures through which decisions are made about access to land and its use, the manner in which the decisions are implemented and enforced, the way that competing interests in land are managed.”* (...) Land governance encompasses statutory, customary and religious institutions, as well as informal institutions. It includes state structures such as land agencies, courts, and ministries and municipalities responsible for land. It also includes informal land developers and traditional bodies. It covers the legal and policy framework for land, as well as traditional practices governing land transactions, inheritance and dispute resolution. In short, it includes all relevant institutions from the state, civil society and private sectors. Land governance is fundamentally about power and the political economy of land. (<http://www.fao.org/3/a-ak999e.pdf>)



In order to provide in-depth and systematic discussion leading to a deeper, meaningful and productive debates around land related issues, FAO is organizing a 3-day **Consultation/expert meeting**, with the overall aim of promoting exchange of knowledge on land governance, highlighting new challenges but also opportunities to foster improved land governance in the Asia and Pacific region. FAO is fostering an international partnership with interested countries and organizations. As a neutral UN specialized organization, FAO is appropriately positioned to successfully bring all stakeholders together in the quest for improving the governance of tenure.

Objectives:

The specific objectives of the Consultation are to foster exchange of knowledge and experiences among member countries in Asia and the Pacific on land governance issues, and to discuss and identify priority areas for action that can support improved governance of land.

Targeted audience:

Influence and technical understanding: Aiming at promoting analysis and action, a balance shall be sought between political and technical levels, providing a sound basis of technically knowledgeable people and those who have the political influence to foster change.

Stakeholder group distribution: The participants will be representatives from governmental institutions at national and local levels dealing with land issues, and members of civil society organizations (75%). Representatives of academia, private sector and development agencies will also be invited (25%).

Targeted countries:

Afghanistan, Cambodia, China, India, Indonesia, Laos, Myanmar, Mongolia, Pakistan, Philippines, Thailand, Timor-Leste and Vietnam

Outputs:

1) Thematic panels with related supporting documents prepared, presented and shared in three main areas:

- a. Land Governance in Asia and Pacific - Challenges and Opportunities*
- b. Supporting the recognition of customary tenure*
- c. Fostering responsible agricultural investment*

2) Knowledge and experiences sharing among participating countries fostered.

3) Key constraints and issues identified and discussed.

4) Set of priority actions for improved land governance identified and agreed.

5) Meeting report outlining the outcomes and recommendations produced.



TENTATIVE PROGRAMME

Dates: 14-16 December (3 days)

Venue: to be confirmed - Bangkok, Thailand

Time	Session	Lead
DAY 1 - MONDAY 14 DECEMBER		
08:00-09:00	Registration	
09:00-09:15	Welcome Remarks	(TBD)
09:15-09:45	Introduction - Meeting objectives - Participant introductions and expectations	(TBD)
9:45-10:15	<i>Group photo</i> <i>Coffee Break</i>	
SESSION 1: LAND GOVERNANCE IN ASIA AND PACIFIC - CHALLENGES AND OPPORTUNITIES		
10:15-12:00	Keynote Panel - Land governance for development: fostering social justice, environmental protection and economic growth - Question and answers and group discussion	(TBD)
12:00-13:00	<i>Lunch</i>	
13:00-15:30	- Land Governance – Challenges and Opportunities: Selected Country Experiences - Question and answers and group discussion	(TBD)
15:30-16:00	<i>Coffee Break</i>	
16:00-17:00	- Enhancing tenure governance: VGGT, RAI and other current instruments - Question and answers and group discussion	(TBD)
17:00-17:30	Recap and closing	(TBD)
18.30-20.30	Cocktail reception hosted by FAORAP	



Time	Session	Lead
DAY 2 - TUESDAY 15 DECEMBER		
09:00-09:15	Recap of day 1	(TBD)
SESSION 2: SUPPORTING THE RECOGNITION OF CUSTOMARY TENURE		
09:15-10:15	Keynote Panel - Challenges, opportunities and good practices on recognition of customary tenure worldwide - Question and answers and group discussion	(TBD)
10:15-10:30	<i>Coffee Break</i>	
10:30-12:00	Working groups Participants will be split into groups to work on 1) key challenges related to recognition of customary tenure; 2) priority actions to promote tenure security regarding customary systems	(TBD)
12:00-13:00	<i>Lunch</i>	
13:00-15:00	- Working groups presentations - Question and answers and group discussion	(TBD)
15:00-15:30	<i>Coffee Break</i>	
SESSION 3: FOSTERING RESPONSIBLE AGRICULTURAL INVESTMENT		
15:30-17:00	Keynote Panel - Agricultural investment: Challenges and opportunities - Current instruments to foster responsible investment (RAI among others) - Question and answers and group discussion	(TBD)
17:00-17:30	Recap and closing	(TBD)



Time	Session	Lead
<u>DAY 3 - WEDNESDAY 16 DECEMBER</u>		
09:00-09:15	Recap of day 2	(TBD)
<u>SESSION 3: FOSTERING RESPONSIBLE AGRICULTURAL INVESTMENT (CONTINUATION)</u>		
9:15-10:30	Working groups Participants will be split into groups to work on 1) identification of key issues and priority actions to foster agricultural investment in the AP region	
10:30-10:45	<i>Coffee Break</i>	
10:45-12:00	- Working groups presentations - Question and answers and group discussion	
12:00-13:00	<i>Lunch</i>	
<u>SESSION 4: IDENTIFYING PRIORITY ACTION AND NEXT STEPS TO IMPROVE LAND GOVERNANCE IN THE ASIA AND PACIFIC REGION</u>		
13:00-14:00	Participants will be split into groups to work on 1) identification of priority actions and next steps to address land governance challenges in the AP region in the context of the three thematic areas.	
14:00-15:00	Working groups presentations Questions and answers	
15:00-15:30	Synthesis of priority actions/area	(TBD)
15:30-15:45	Closing remarks	(TBD)

